

Message Text

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63

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TAGS: IAEA

SUBJ: MISSION COMMENTS ON GAO REPORT TO CONGRESS, "ASSESSMENT
OF U.S. AND INTL CONTROLS OVER THE PEACEFUL USES OF NUCLEAR
ENERGY"

REF: STATE 188101

1. SUMMARY: IN GENERAL, MISSION READILY AGREES WITH STATED
OVERALL OBJECTIVE IN REPORT, (I.E., MORE EFFECTIVE CONTROLS
TO PREVENT NUCLEAR WEAPONS PROLIFERATION.) HOWEVER, MANY
IDEAS IN INTERNATIONAL SAFEGUARDS SECTION ARE BASED ON
ASSUMPTIONS THAT DO NOT FIT WITH CURRENT POLITICAL REALITY.
FOR EXAMPLE, REPORT POINTS OUT IAEA INSPECTORS HAVE "NEITHER
UNLIMITED ACCESS (IN SAFEGUARDED COUNTRIES) NOR AUTHORITY TO
SEEK OUT POSSIBLE UNDECLARED OR CLANDESTINE FACILITIES OR
STOCKPILES OF NUCLEAR MATERIALS." IMPLICATION IS THAT U.S.
SHOULD SEEK TO HAVE THESE LIMITATIONS OVERCOME WHERE IAEA
APPLIES SAFEGUARDS IN OTHER COUNTRIES. HOWEVER IT IS VERY
UNLIKELY THAT U.S. WOULD ITSELF GRANT SUCH UNLIMITED ACCESS
OR AUTHORITY FOR INTERNATIONAL INSPECTORS IN U.S. FURTHER,
IT IS VERY UNLIKELY THAT U.S. BILATERAL SAFEGUARDS, WHICH ARE
SUGGESTED AS A FALL-BACK TO IAEA SAFEGUARDS, COULD OBTAIN
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SUCH ACCESS OR AUTHORITY. MOST LIMITATIONS ON IAEA SAFEGUARDS

IDENTIFIED IN REPORT ARE REAL AND, AT LEAST FOR PRESENT,
INEVITABLE. END SUMMARY.

2. SPECIFIC PROBLEMS WITH DRAFT REPORT ARE AS FOLLOWS:

PAGE III. LAST ITEM ON THIS PAGE IS MISLEADING. "INTERNATIONAL SAFEGUARDS SYSTEM" CALLS FOR UNITED NATIONS SECURITY COUNCIL TO BE BROUGHT INTO PICTURE IN CASE OF NON-COMPLIANCE AND UN MAY TAKE ANY ACTION IT DEEMS APPROPRIATE. IT IS IAEA PER SE WHICH IS LIMITED IN SANCTIONS IT CAN APPLY.

PAGE 34, FIRST PARAGRAPH, SIXTH LINE IS INCORRECT. IAEA INSPECTIONS UNDER NPT ARE PERMITTED ON "ALL PEACEFUL NUCLEAR PROGRAMS" AND NOT "ALL" NUCLEAR PROGRAMS PER SE. SAME OMISSION APPEARS AT BOTTOM OF PAGE.

PAGE 34, FOOTNOTE. DISTINCTION SHOULD BE MADE THAT INDIA IS NOT A NUCLEAR WEAPONS STATE UNDER DEFINITIONS IN NPT.

PAGE 35, SECOND PARA IS INCORRECT. IAEA CURRENTLY APPLIES NPT SAFEGUARDS IN DENMARK, A EURATOM COUNTRY.

PAGE 37, SECOND TO LAST ITEM. FOOTNOTE SHOULD BE ADDED STATING THAT IAEA DIRECTOR GENERAL HAS MADE PUBLIC DECLARATION THAT IAEA SAFEGUARDS UNDER NON-NPT AGREEMENTS ARE AIMED AT PRECLUDING PEACEFUL NUCLEAR EXPLOSIVES.

PAGE 44, SECOND TO LAST PARA. AT END OF 1975, THE IAEA HAD 45 INSPECTORS FOR SAFEGUARDING ABOUT 300 FACILITIES.

PAGE 45. IT IS MISLEADING TO SAY THAT IAEA HAS NO COMPREHENSIVE TRAINING PROGRAM. THERE IS A TRAINING PROGRAM WHICH IS MORE THAN SIMPLY "ON-THE-JOB" TRAINING. PROGRAMS COVERS A THREE-MONTH PERIOD FOR NEW INSPECTORS AND INCLUDES LECTURES AND WORKSHOPS. IT IS NOT CLEAR WHAT GAO HAS IN MIND BY TERM "COMPREHENSIVE."

PAGE 49. THE RECOMMENDATIONS FOR INCREASING EFFECTIVENESS OF IAEA SAFEGUARDS ARE ALL DESIRABLE AND ARE BEING PURSUED AT A LEVEL WHICH IS CONSISTENT WITH FACT THAT SAFEGUARDED LIMITED OFFICIAL USE

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COUNTRIES HAVE ACCEPTED IAEA SAFEGUARDS ON VOLUNTARY BASIS AND HAVE TO BE PERSUADED OF THEIR OWN INTEREST IN THESE MATTERS BEFORE THEY WILL ACCEPT A TIGHTENING OF SAFEGUARDS CONTROLS.

PAGE 52. REPORT DOES NOT IDENTIFY FACT OF THIS MISSION'S DETAILED AND DAY-TO-DAY RELATIONSHIP WITH IAEA IN MATTERS OF IAEA SAFEGUARDS.

PAGE 54, SECOND PARA. THERE IS NO GUARANTEE THAT FULL DISCLOSURE OF IAEA INSPECTION RESULTS WOULD HELP U.S. TO "KNOW WHETHER IAEA SAFEGUARDS HAVE PREVENTED OR DETERRED DIVERSION."

PAGE 54, ALSO SECOND PARA. IT IS IAEA DIRECTOR GENERAL, AND NOT IAEA INSPECTOR, WHO REPORTS DIVERSIONS TO BOARD.

PAGE 58. THE U.S. REQUEST TO THE IAEA IN OCT OF 1974, REGARDING IAEA IMPLEMENTATION OF SAFEGUARDS RESPONSIBILITIES UNDER TRILATERAL AGREEMENTS TO WHICH THE U.S. IS A PARTY, WAS OVERTAKEN BY THE PROGRESS MADE BY THE IAEA IN MEETING OUR MORE GENERAL REQUEST FOR ADDITIONAL INFORMATION ON ALL SAFEGUARDS IMPLEMENTATION TO BE GIVEN TO THE IAEA BOARD OF GOVERNORS. THE ESTABLISHMENT AND SUBSEQUENT ACTIVITIES OF THE STANDING ADVISORY COMMITTEE ON SAFEGUARDS IMPLEMENTATION (SAGSI) AND THE SECRETARIAT'S EFFORT AT A SPECIAL SAFEGUARDS IMPLEMENTATION REPORT (SSIR) FOR THE BOARD OF GOVERNORS ARE EXAMPLES OF THIS PROGRESS.

PAGE 59, SECOND FULL PARA. MISSION IS NOT AWARE OF IAEA CONSIDERING PROCESS "INDEPENDENT OF ITS SAFEGUARDS DEPARTMENT" FOR INTERNALLY REVIEWING INSPECTION RESULTS. REVIEW PROCESS WHICH AGENCY HAS IN MIND WOULD BE CONDUCTED WITHIN DEPARTMENT OF SAFEGUARDS AND INSPECTION.

PAGE 60, FIRST FULL PARA. IT SHOULD BE NOTED THAT THERE CAN BE VERY LEGITIMATE BASIS FOR CONTENTION THAT IAEA SAFEGUARDS ARE OF SOME VALUE EVEN IN ABSENCE OF ABILITY TO SPECIFICALLY QUANTIFY HOW EFFECTIVE THEY ARE.

PAGE 60, SECOND FULL PARA. MAKING PUBLIC SUCH A CLAIM THAT "THE U.S. IS LARGELY RESPONSIBLE FOR WHATEVER EFFECTIVENESS LIMITED OFFICIAL USE

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AND CREDIBILITY CAN BE CLAIMED FOR CURRENT IAEA SAFEGUARDS" WILL PROBABLY HAVE A NEGATIVE EFFECT ON OUR ABILITY TO SUPPORT IAEA SAFEGUARDS IN FUTURE, IN VIEW OF CONCERN EXPRESSED BY SOME GOVERNMENTS THAT U.S. ALREADY HAS TOO MUCH INFLUENCE IN THIS AREA, AND THEY FEEL THAT THIS INFLUENCE IS NOT IN THEIR INTERESTS.

PAGE 61, SECOND TO LAST ITEM. THE U.S. PER SE IS NOT A MEMBER IF SAGSI. IAEA DIRECTOR GENERAL SELECTED INDIVIDUALS OF INTERNATIONALLY RECOGNIZED LEADERSHIP IN THE FIELD TO ADVISE HIM PERSONALLY. USG CONSENTED TO HIS SELECTION OF A U.S. CITIZEN.

PAGE 62. RECOMMENDATIONS ON OBTAINING IAEA REPORTS AND MONITORING ON-SITE IAEA INSPECTIONS ARE PROBABLY BEYOND REALM

OF POLITICAL POSSIBILITY AT THIS TIME.

PAGE 92, FINAL PARA. CONTACTS BY U.S. AND IAEA OFFICIALS WITH OTHER COUNTRIES HAVE INDICATED STRONG OPPOSITION, BASED ON THEIR BELIEF THAT A NATION'S INTERNAL SECURITY IS STRICTLY A NATIONAL CONCERN, TO THE IDEA THAT IAEA SHOULD HAVE A ROLE IN ENFORCING OR CHECKING WHETHER OR NOT AN INDIVIDUAL NATION'S PHYSICAL SECURITY SYSTEM IS ADEQUATE. THE OBJECTIVE IN PARA IS FINE, AND USG IS WORKING TOWARD THIS OBJECTIVE, BUT THERE IS NO WAY OF FORCING OTHER COUNTRIES TO ACCEPT THIS POSITION.

PAGE 96, FIRST FULL PARA. IT IS NOT STATED WHY CONTINUED U.S. SECURITY REVIEWS "MAY BE UNACCEPTABLE." THIS IS PARTICULARLY IMPORTANT TO NOTE IN VIEW OF FACT THAT, FOR REASON NOTED ABOVE, BOTH NEAR-TERM AND LONG-TERM IAEA SECURITY REVIEWS ARE, AND MAY CONTINUE TO BE, UNACCEPTABLE.

PAGE 96, LAST PARA. IMPLIES THAT THE THREE CITED AREAS IN WHICH AGREEMENT SHOULD BE SOUGHT WERE PROPOSED BY DEPT OF STATE OR ERDA. MISSION NOT AWARE THAT THIS THE CASE.

PAGE 121. THE IAEA HAS NO RESEARCH REACTORS. THE RESEARCH REACTOR MENTIONED IS MOST LIKELY THE AUSTRIAN GOVERNMENT REACTOR AT SEIBERSDORF.

PAGE 135. PORTUGAL SHOULD BE ADDED TO LIST. STONE
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